



PATENT
Atty. Docket No. MUR-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Farrar et al.
SERIAL NUMBER: 09/155,708 GROUP NUMBER: 1635
FILING DATE: April 5, 1999 EXAMINER: Epps, Janet L.
TITLE: GENETIC SUPPRESSION AND REPLACEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, OR
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

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- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

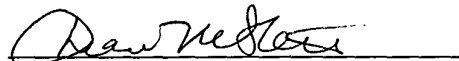
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Diana M. Steel
Attorney for Applicants
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: August 13, 2003
Reg. No. 43,153

Tel. No.: (617) 310-8168
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FEE TRANSMITTAL

FY 2003 AUG 15 2003



Complete if Known

Application Serial Number 09/155,708
Filing Date April 5, 1999
First Named Inventor Farrar
Group Art Unit 1635
Examiner Name Epps, Janet L.
Attorney Docket No. MUR-003

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																			
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>410</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>930</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1450</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1970</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>320</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>320</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>280</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr> <tr><td>750</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>750</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td colspan="3">Other fee (Specify)</td><td></td></tr> <tr><td colspan="3">Other fee (Specify)</td><td></td></tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		410	205	Extension for reply within second month		930	465	Extension for reply within third month		1450	725	Extension for reply within fourth month		1970	985	Extension for reply within fifth month		320	160	Notice of Appeal		320	160	Filing a brief in support of an appeal		280	140	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	750	375	Filing a submission after final rejection (37 CFR 1.129(a))		750	375	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		Other fee (Specify)				Other fee (Specify)			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. 3. <input checked="" type="checkbox"/> Applicant claims small entity status.																																																																																							
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100				Respectfully submitted, <div style="text-align: center;"> Diana M. Steel Attorney for Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 </div> Date: August 13, 2003 Reg. No. 43,153 Tel. No.: (617) 310-8168 Fax No.: (617) 248-7100																																																																																			



SHEET 1 OF 4

FORM PTO - 1449 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTORNEY DOCKET NO.: MUR-003 APPLICANTS: Farrar et al. SERIAL NO.: 09/155,708 FILING DATE: April 5, 1999 GROUP: 1635
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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AH	5,223,391	06/29/93	Coen et al.	435	5	
	AI	5,977,296	11/02/99	Nielsen et al.	530	300	

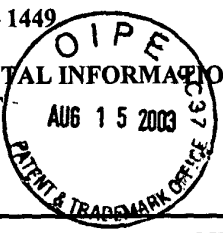
FOREIGN PATENT DOCUMENTS

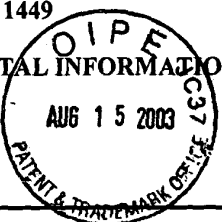
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	BK	414,134 B1	02/27/91	EP					

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	CBF	International Search Report for International Patent Application No. PCT/GB96/02357, 4 pages.							
	CBG	Carter et al., "Antisense Technology for Cancer Therapy: Does it Make Sense?" <u>Cancer Res.</u> , 1993, 67:869-876.							
	CBH	Cazenave et al., "Comparative Inhibition of Rabbit Globin mRNA Translation by Modified Antisense Oligodeoxynucleotides." <u>Nuc. Acid Res.</u> , 1989, 17:4255-4273.							
	CBI	Connell et al., "Molecular Cloning, Primary Structure, and Orientation of the Vertebrate Photoreceptor Cell Protein Peripherin in the Rod Outer Segment Disk Membrane", 1990, 29:4691-4698.							
	CBJ	D'Alessio et al., "Characterization of a COL1A1 Splicing Defect in a Case of Ehlers-Danlos Syndrome Type VII: Further Evidence of Molecular Homogeneity." <u>The American Society of Human Genetics</u> , 1991, 49:400-406.							
	CBK	Dagleish et al., "Length polymorphism in the pro $\alpha 2(I)$ collagen gene: an alternative explanation in a case of Marfan syndrome." <u>Human Genetics</u> , 1986, 73:91-92.							
	CBL	Dosaka-Akita et al., "Inhibition of Proliferation by L-myc Antisense DNA for the Translational Initiation Site in Human Small Cell Lung Cancer." <u>Cancer Res.</u> 1995, 55:1559-1564.							
	CBM	Dryja et al., "A point mutation of the rhodopsin gene in one form of retinitis pigmentosa." <u>Nature</u> , 1990, 343:364-366.							
	CBN	Duval-Valentin et al., "Specific inhibition of transcription by triple helix-forming oligonucleotides." <u>Proc. Natl. Acad. Sci. USA</u> , 1992, 89:504-508.							

EXAMINER	DATE CONSIDERED
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FORM PTO - 1449		ATTORNEY DOCKET NO.: MUR-003
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	CBO	Ellis et al., "Design and specificity of hammerhead ribozymes against calretinin mRNA." <u>Nuc. Acid Res.</u> , 1993, 21:5171-5178.
	CBP	Farrar et al., "Autosomal Dominant Retinitis Pigmentosa: Linkage to Rhodopsin and Evidence for Genetic Heterogeneity." <u>Genomics</u> , 1990, 8:35-40.
	CBQ	Farrar et al., "A three-base-pair deletion in the peripherin-RDS gene in one form of retinitis pigmentosa." <u>Nature</u> , 1991, 354:478-480.
	CBR	Farrar et al., "Autosomal Dominant Retinitis Pigmentosa: A Novel Mutation at the Peripherin/RDS Locus in the Original 6p-Linked Pedigree." <u>Genomics</u> , 1991, 14:805-807.
	CBS	Farrar et al., "Progress in Genetic Linkage for Retinitis Pigmentosa and Gene Delivery to Ocular Tissues." <u>Invest Ophthalmol Vis. Sci. (ARVO)</u> , 1995, 36:(4).
	CBT	Feng et al., "Neoplastic Reversion Accomplished by High Efficiency Adenoviral-mediated Delivery of an Anti-ras Ribozyme." <u>Can. Res.</u> , 1995, 55:2024-2028.
	CBU	Filie et al., "A De Novo G ⁺ -A Mutation at the $\alpha 2(I)$ Exon 16 Splice Donor Site Causes Skipping of Exon 16 in the cDNA of One Allele of an OI Type IV Proband." <u>Human Mutation</u> , 1993, 2:380-388.
	CBV	Gaughan et al., "Ribozyme Mediated Cleavage of Acute Phase Serum Amyloid A (A-SAA) mRNA in vitro." <u>FEBS Letters</u> , 1995, 374:241-245.
	CBW	Hanvey et al., "Antisense and Antigene Properties of Peptide Nucleic Acids." <u>Science</u> , 1992, 258:1481-1485.
	CBX	Herschlag et al., "An RNA chaperone activity of non-specific RNA binding proteins in hammerhead ribozyme catalysis." <u>EMBO</u> , 1994, 13:(12):2913-2924.
	CBY	Herskowitz, "Functional inactivation of genes by dominant negative mutations." <u>Nature</u> , 1987, 329:219-222.
	CBZ	Humphries et al., "On The Molecular Genetics Of Retinitis Pigmentosa." <u>Science</u> , 1992, 1-5.
	CCA	Jordan et al., "Localization of an autosomal dominant retinitis pigmentosa gene to chromosome 7q." <u>Nature Genetics</u> , 1993, 4:54-58.
	CCB	Kajiwarra et al., "Mutations in the human retinal degeneration slow gene in autosomal dominant retinitis pigmentosa." <u>Nature</u> , 1991, 354:480-483.
	CCC	Lange et al., "In Vitro and In Vivo Effects of Synthetic Ribozymes Targeted Against BCR/ABL mRNA." <u>Leukemia</u> , 1993, 7:1786-1794.
	CCD	Mansergh et al., "Evidence for genetic heterogeneity in Best's vitelliform macular dystrophy." <u>J. Med. Genet.</u> , 1995, 32:855-858.
	CCE	Mashhour et al., "In Vivo Adenovirus-Mediated Gene Transfer Into Ocular Tissues." <u>Gene Therapy</u> , 1994, 1:122-126.
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	CCF	McWilliam et al., "Autosomal Dominant Retinitis Pigmentosa (ADRP): Localization of an ADRP Gene to the Long Arm of Chromosome 3." <u>Genomics</u> , 1989, 5:619-622.
	CCG	Mitani et al., "Gene transfer therapy for heritable disease: cell and expression targeting," <u>Philos Trans. R. Soc. Lond. B. Biol. Sci.</u> 1993, 339:217-224.
	CCH	Nathans et al., "Isolation, Sequence Analysis, and Intro-Exon Arrangement of the Gene Encoding Bovine Rhodopsin", <u>Cell</u> , 1983, Vol 34, 807-814.
	CCI	Ott et al., "Localizing multiple X chromosome-linked retinitis pigmentosa loci using multilocus homogeneity tests." <u>Pro. Natl. Acad. Sci.</u> , 1990, 87:701-704.
	CCJ	Oyama et al., "N-ras Mutation of Thyroid Tumor with Special Reference to the Follicular Type." <u>Pathol Int.</u> , 1995, 45:45-50.
	CCK	Phillips et al., "A Substitution at a Non-glycine Position in the Triple-Helical Domain of pro α 2(I) Collagen Chains Present in an Individual with a Variant of the Marfan Syndrome." <u>The American Society for Clinical Investigation, Inc.</u> , 1990, 86:1723-1728.
	CCL	Quattrone et al., "Reversion of the Invasive Phenotype of Transformed Human Fibroblasts by Anti-Messenger Oligonucleotide Inhibition of Urokinase Receptor Gene Expression." <u>Can. Res.</u> , 1995, 55:90-95.
	CCM	Reichenberger et al., "Genomic Organization and Full-Length cDNA Sequence of Human Collagen X", <u>FEBS</u> , 1992, Vol. 311, 3:305-310.
	CCN	Rimsky et al., "Trans-dominant inactivation of HTLV-1 and HIV-1 gene expression by mutation of the HTLV-1 Rex transactivator." <u>Nature</u> , 1989, 341:453-456.
	CCO	Sun et al., "Sequence-specific intercalating agents: Intercalation at specific sequences on duplex DNA via major groove recognition by oligonucleotide-intercalator conjugations." <u>Proc. Natl. Acad. Sci USA</u> , 1989, 86:9198-9202.
	CCP	Valera et al., "Expression of GLUT-2 Antisense RNA in β Cells of Transgenic Mice Leads to Diabetes." <u>J. Biol. Chem.</u> , 1994, 269:28543-28546.
	CCQ	Van Soest et al., "Assignment of a Gene for Autosomal Recessive Retinitis Pigmentosa (RP12) to Chromosome 1q31-q32.1 in an Inbred and Genetically Heterogeneous Disease Population." <u>Genomics</u> , 1994, 22:499-504.
	CCR	Vasan et al., "A Mutation in the Pro α 2(I) Gene (COL1A2) for Type I Procollagen in Ehlers-Danlos Syndrome Type VII: Evidence Suggesting That Skipping of Exon 6 in RNA Splicing May Be a Common Cause of the Phenotype." <u>The American Society of Human Genetics</u> , 1991, 48:305-317.
	CCS	Westerhausen et al., "A sequence polymorphism in the 3'-nontranslated region of the pro α 1 chain of type I procollagen." <u>Nucleic Acids Research</u> , 1990, 18:4968.

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	CCT	Willing et al., "Molecular Heterogeneity In Osteogenesis Imperfecta Type I." <u>American Journal of Medical Genetics</u> , 1993, 45:223-227.	

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